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April 4, 2023

Hon. Dora L. Irizarry
United States District Court Eastern District of New York
225 Cadman Plaza East
Brooklyn, N.Y. 11201

Re: United States v. Shlomo Patchiav
Crim. Dkt. No. 1:23-cr-00099-(DLI)

Dear Judge Irizarry,

I am the attorney for Mr. Shlomo Patchiav, the Defendant in the above-referenced case. The Defendant respectfully writes to request a modification of his bail conditions previously set by Magistrate Judge Marcia M. Henry on March 20, 2023. The reason for this request is to afford the Defendant the opportunity to participate in upcoming Passover holiday prayer services and Sabbath services at his local synagogue which is a ten-minute walk from his home. At the suggestion of the Government, I communicated with Pre-Trial Services Officer Berzak, who did not object to expanding the bail conditions to include religious observances. Additionally, I have notified AUSA Lindsey Oken who indicated she would respond to the request after conferring with Pre-Trial Services, but I have received no response from her as of today, April 4, 2023.

The synagogue where Mr. Patchiav, an Orthodox Jew, would like to attend Passover Services and regular Shabbat services is located at 6304 Yellowstone Boulevard, Forest Hills, NY 11375. Services on the first seder night are scheduled for April 5 from 6:30 p.m. – 8:00 p.m. and on April 6, morning prayers will take place from 8:00 a.m. – 1:00 p.m. Furthermore, afternoon/evening prayers on April 6 will take place between 6:30 p.m. and 8:30 p.m. Additional morning services will take place on April 7 from 8:00 a.m. – 1:00 p.m. Afternoon and evening Shabbat services will take place on April 7 between 6:30 p.m. and 8:30 p.m. Morning Shabbat services will take place on April 8 between 8:00 a.m. and 1:00 p.m. followed by afternoon and evening services that will take place between 6:30 p.m. and 8:30 p.m. On April 9 through April 11, morning services will take place each morning from 6:30 a.m. – 9:00 a.m. Afternoon and evening services will take place between 6:30 p.m. and 8:30 p.m.

On the last two days of the Passover holiday, April 12 and April 13, morning services will take place from 8:00 a.m. – 1:00 p.m. Afternoon and evening services will take place between 6:30 p.m. and 8:30 p.m. On the following day, April 14, evening Shabbat services will take place from 6:30 p.m. – 8:30 p.m. followed by morning services on April 15 from 8:00 a.m. – 1:00 p.m., and afternoon and evening services will take place between 6:30 p.m. and 8:30 p.m.

In this time of heightened Anti-Semitism and Anti-Jewish violence, I trust that this Honorable Court will authorize my client's right to freedom of worship because he has always maintained his innocence; is entitled to the presumption of innocence; and has scrupulously adhered to the terms of his release. I am available tomorrow during the day for a conference regarding this matter if the Court should so desire. I have attached all schedules from the Synagogue, a letter from the Chief Rabbi, and the email chain with the AUSA as well as the Electronic Monitoring Unit of Pre-Trial Services. Kindly advise.

Thank you.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael L. Soshnick", written in a cursive style.

Michael L. Soshnick
Attorney for Defendant

cc: AUSA Lindsey Oken

SYNAGOGUE SCHEDULE



1 of 2

Id Association- Young Mynian Passover 2023/5783 Schedule-Part 1

Sunday , April 2, 2023 -

- Last time to collect Chametz selling contract by Rabbi Aharon Chein ,
After Tefila in the morning.

Tuesday, April 4, 2023 Night

- After Arvit **Bedikat Chametz** (checking for chametz)

Wednesday, April 5 2023 (14 Nissan)

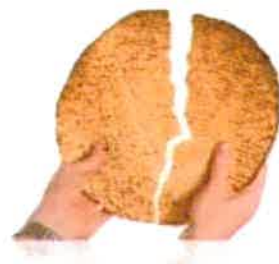
- **Fasting of First Born**
- 7:00AM Shacharit (Upstairs)
- 8:00AM Sium Masechet
- 10:48AM Eat Chametz until
- 11:53AM (by) **Burn Chametz**
- 7:00PM Mincha and Arvit of Yom Tov -
- 7:06PM Candle Lighting ****Do not Forget to light a Ner Neshama
candle to be used as a transfer fire and cook After Shabbat****

Not Tefilim Need it Until Friday April 14,2023

First Seder Night

Thursday, April 6 - Downstairs

- 9:00AM Schacharit from Yom Tov
- 7:00PM Mincha of Yom Tov follows by Arvith
- 8:07PM (Light After) Candle lighting
- First Night Omer



Second Seder Night

Friday , April 7, 2023

- 9:00AM Schacharit of Yom Tov
- 7:00PM Mincha of Shabbat and Yom Tov follows by Arvith
- 7:08PM (Light BY) Candle lighting

Saturday , April 8 , 2023

9:00AM Schacharit of Shabbat and Yom Tov from 11:00

**Rabbi Aharon Chein and
Family
with you
Ultimate freedom and
Independency. Moshiach
Now**

Chabad Association- Young Mynian

Passover 2023/5783

Schedule-Part 2

Chol Hamoed (Sunday April 9 – Tuesday April 11, 2023)

- 6:45AM Schacharit follows by Hallel ,Torah Reading and Musaf Shul Upstairs
- 7:00PM Mincha follows by Arvit and Omer counting

Not Tefilin need it until Morning of April 14, 2023 .

Tuesday April 11, 2023 – Nissan 20

Second Erev Yom Tov

- 7:00PM Mincha and Arvith of Yom Tov, Omer 6
- 7:12PM Candle Lighting ****Do not Forget to light a Ner Neshama candle to be used as a transfer fire****

Wednesday ,April 12,2023 Yom Tov

- 9:00AM Shacharit of Yom Tov from Hodu
- 7:00PM Mincha follows by Arvith of Yom Tov
- 8:14PM (After)Candle Lighting and Yom Tov



Thursday , April 13, 2023

- 9:00AM Shacharit of Yom Tov from Hodu (Downstairs)
- 7:00PM Mincha follows by **Seudat Mashiach** having four cups of Geula
- 8:15PM Yom Tov **ENDS**
- In the evening count Omer 8

**Rabbi Aharon Chein and
Family
wish you
Ultimate freedom and**

**RABBI AHARON CHEIN
LETTER**

Chabad Association for Georgian Jews

63-04 Yellowstone Boulevard . Forest Hills, New York 11375

Phone Number 212-7679377

דב

New York, April 1, 2023

Subject: *Schedule Jewish Prayers ,Passover Holiday for
Shlomo Patchiav*

To whom it may concern,

My name is Rabbi Aharon Chein the Rabbi of Chabad Association for Georgian Jews located at 63-04 Yellowstone Boulevard , Forest Hill NY 11375 . I am the Rabbi of Shlomo Patchiav , he is an active member of our community. Below , you can find the schedule of the prayers services and torah lectures in the upcoming holiday of Passover in our center on the address above.

Services on the First Seder night are scheduled for April 5 from 6:30 p.m.- 8:00 p.m. and on April 6,morning prayers will take place from 8:00 a.m.-1:00 p.m. . Furthermore, afternoon/evening prayers on April 6 will take place between 6:30 p.m. and 8:30 p.m. Additional morning services will take place on April 7 from 8:00 a.m. -1:00 p.m. Afternoon and evening Shabbat services will take place on April 7 between 6:30 p.m. and 8:30 p.m. Morning Shabbat services will take place on April 8 between 8:00 a.m. -1:00 p.m. followed by afternoon and evening services that will take place between 6:30 p.m. and 8:30 p.m. . On April 9 through April 11 morning services will take place each morning from 6:30 a.m. – 9:00 a.m.. Afternoon and evening services will take place between 6:30 p.m. and 8:30 p.m.

- Prayers • Torah Study Group • Shabbat Children Program • Checking and repairing Tefilin and Mezuzots • Marriage
- Kashrut • Judaica • Home visitations • Matchmaking • Fund for Charitable Causes • Preparation for Barmitzva • Counseling
- *Your Address for all your Spiritual Jewish needs*

Chabad Association for Georgian Jews

63-04 Yellowstone Boulevard . Forest Hills, New York 11375

Phone Number 212-7679377

נח

Subject: *Schedule Jewish Prayers ,Passover Holiday for Shlomo Patchiav
continuation*

On the last two days of the Passover Holiday, April 12 and April 13, morning services will take place from 8:00 a.m. – 1:00 p.m. Afternoon and evening services will take place between 6:30 p.m. and 8:30 p.m. On the following day, April 14 evening Shabbat services will take place from 6:30 p.m. - 8:30 p.m. followed by morning services on April 15 from 8:00 a.m. – 1:00 p.m. and afternoon and evening services will take place between 6:30 p.m. and 8:30 p.m.

May almighty God should Bless you for your efforts and concerns ,

Thank you in advance

Sincerely,



Rabbi Aharon Chein
President

- Prayers • Torah Study Group • Shabbat Children Program • Checking and repairing Tefilin and Mezuzots • Marriage
- Kashrut • Judaica • Home visitations • Matchmaking • Fund for Charitable Causes • Preparation for Barmitzva • Counseling
- *Your Address for all your Spiritual Jewish needs*

EMAIL CHAIN WITH PRE-TRIAL SERVICES AND AUSA

Michael Soshnick, ESQ

From: Michael Soshnick, ESQ
Sent: Thursday, March 30, 2023 10:16 AM
To: Oken, Lindsey (USANYE)
Subject: Re: US v. Patchiav (23-MJ-165)

Hello again Lindsey:

I just left a detailed voicemail at the phone number I shared with you for Officer Berzak. The voicemail was left with the electronic monitoring unit concerning my request for Mr. Patchiav to leave his home to attend religious services during the upcoming Passover holiday. I indicated that I was calling at your suggestion. Whenever I hear back, I will update you. Hopefully, you and I will be able to speak after 6:30 PM this evening. Take care and thanks.

Best,
Michael
Sent from my iPhone

On Mar 30, 2023, at 7:39 AM, Michael Soshnick, ESQ <msoshnick@soshnicklaw.com> wrote:

Good morning Lindsey:

I will call Pretrial this morning, and I will email you the results of that conversation, and we can go from there. Have a blessed day.

Best,
Michael

Sent from my iPhone

On Mar 30, 2023, at 7:26 AM, Oken, Lindsey (USANYE) <Lindsey.Oken@usdoj.gov> wrote:

I'll be in trial prep for the duration of the day, but happy to talk any evening, after 6pm or so.

From: Michael Soshnick, ESQ <msoshnick@soshnicklaw.com>
Sent: Wednesday, March 29, 2023 10:35 PM
To: Oken, Lindsey (USANYE) <LOken@usa.doj.gov>
Subject: [EXTERNAL] Re: US v. Patchiav (23-MJ-165)

I believe that the telephone number for Officer Berzak is 718-613-2378. I have a court appearance at the federal courthouse in Brooklyn tomorrow at 2:30 PM with AUSA Adam Amir on an unrelated matter. Perhaps we could meet or talk between noon and 2 PM tomorrow, if that works for you. Thanks again, and have a good night.

Sent from my iPhone

On Mar 29, 2023, at 9:58 PM, Oken, Lindsey (USANYE)
<Lindsey.Oken@usdoj.gov> wrote:

Can you share the contact information you have for Officer Berzak?

Thanks,
Lindsey

From: Michael Soshnick, ESQ <msoshnick@soshnicklaw.com>
Sent: Wednesday, March 29, 2023 7:46 PM
To: Oken, Lindsey (USANYE) <LOken@usa.doj.gov>
Subject: [EXTERNAL] Re: US v. Patchiav (23-MJ-165)

Lindsey:

I did not reach out to Pretrial yet because I verily believe that you are the key player. I will reach out to Officer Berzak tomorrow, but I believe that his first question to me will be what is the government's position? In a case, with a compliant defendant, it has been my experience that Pretrial goes along with whatever the government recommends. Kindly advise me as to your position. I will share it with Pretrial, and I will report back to you tomorrow. Many thanks for your kindness.

Respectfully,
Michael

Sent from my iPhone

On Mar 29, 2023, at 7:10 PM, Oken, Lindsey (USANYE)
<Lindsey.Oken@usdoj.gov> wrote:

Michael,

Apologies for missing your call; I am beginning a trial on Monday and have been largely away from my desk. Have you consulted Pretrial Services on the request below?

Thanks,
Lindsey

Lindsey Oken
Assistant United States Attorney

U.S. Attorney's Office for the Eastern District of New
York
271 Cadman Plaza East
Brooklyn, New York 11201
Office: (718) 254-6516

From: Michael Soshnick, ESQ
<msoshnick@soshnicklaw.com>
Sent: Wednesday, March 29, 2023 7:06 PM
To: Oken, Lindsey (USANYE) <LOken@usa.doj.gov>
Subject: [EXTERNAL] US v. Patchiav (23-MJ-165)

Good Evening Ms. Oken:

I called you and left a voicemail for you earlier today in regard to obtaining your consent to the extent of modifying Shlomo Patchiav's bail conditions for the purpose of permitting him to participate in upcoming Passover holiday prayer services at his local synagogue which is a ten-minute walk from his home. The synagogue where Mr. Patchiav, an Orthodox Jew, would like to attend Shabbat Hagadol services on March 31, 2023 from 6:30 p.m. – 8:30 p.m. and on April 1 from 8:00 a.m. – 1:00 p.m. and from 5:45 p.m. – 8:45 p.m. is located at 6304 Yellowstone Boulevard, Forest Hills, NY 11375.

Services on the first seder night are scheduled for April 5 from 6:30 p.m. – 8:00 p.m. and on April 6, morning prayers will take place from 8:00 a.m. – 1:00 p.m. Furthermore, afternoon/evening prayers on April 6 will take place between 6:30 p.m. and 8:30 p.m. Additional morning services will take place on April 7 from 8:00 a.m. – 1:00 p.m. Afternoon and evening Shabbat services will take place on April 7 between 6:30 p.m. and 8:30 p.m. Morning Shabbat services will take place on April 8 between 8:00 a.m. and 1:00 p.m. followed by afternoon and evening services that will take place between 6:30 p.m. and 8:30 p.m. On April 9 through April 11, morning services will take place each morning from 6:30 a.m. – 9:00 a.m. Afternoon and evening services will take place between 6:30 p.m. and 8:30 p.m.

On the last two days of the Passover holiday, April 12 and April 13, morning services will take place from 8:00 a.m. – 1:00 p.m. Afternoon and evening services will take place between 6:30 p.m. and 8:30 p.m. On the following day, April 14, evening Shabbat services will take place from 6:30 p.m. – 8:30 p.m. followed by morning services on April 15 from 8:00 a.m. – 1:00 p.m.,

and afternoon and evening services will take place between 6:30 p.m. and 8:30 p.m.

In this time of heightened Anti-Semitism and Anti-Jewish violence, I trust that the United States government will support my client's right to freedom of worship in light of the fact that he has always maintained his innocence; is entitled to the presumption of innocence; and has scrupulously adhered to the terms of his release. Please reply to this email at your earliest opportunity because I would like to make a formal letter application to the Court for Mr. Patchiav to simply exercise his first amendment rights during this holy Judeo-Christian period.

Thank you.

Respectfully,

Michael L. Soshnick, Esq.
Daniela S. | Lisa V. | Irene A. | Maureen C.
170 Old Country Road, Suite 307
Mineola, New York 11501
(516) 294-1111 Phone
(516) 294-5465 Fax

Please note our new address above